

Washington, Friday, October 14, 1938

Rules, Regulations, Orders

TITLE 7-AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

TERMINATION OF ORDER REGULATING THE HANDLING OF CELERY GROWN IN THE STATE OF FLORIDA

Whereas, the Secretary of Agriculture of the United States of America, acting under the provisions of Public, No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, approved June 3, 1937, for the purposes and within the limitations therein contained and pursuant to the general regulations issued thereunder, on the 9th day of November 1937, issued Order No. 21,1 regulating the handling in interstate and foreign commerce and such handling as directly burdens, obstructs, or affects interstate or foreign commerce of celery grown in the State of Florida; and

Whereas, the Secretary of Agriculture deems it advisable to terminate the said

Now, therefore, H. A. Wallace, Secretary of Agriculture of the United States of America, acting under the authority vested in the Secretary by said act and pursuant to subsection 1, section 2, article VIII of said order, hereby terminates said order, subject, however, to the following conditions:

1. That the provisions of section 3 of article VIII of said order, relating to the proceedings after termination, and subsection 3 of section 5 of article II, relating to the maintenance of suits for the collection of expenses, shall remain in force and effect for the purpose of enabling the Control Committee now functioning to liquidate and settle all matters arising under the terms and provisions of said order.

That no obligation which has arisen under said order or which may hereafter

arise in connection with, by virtue of, or pursuant to, the said order shall be affected, waived, or terminated hereby.

That the said Control Committee shall collect any and all of the moneys due to the said Control Committee under the terms and provisions of said order.

4. That said Control Committee shall have and exercise all of the powers and authority vested in the Control Committee under the terms and provisions of the said order as may be necessary or proper to carry out the foregoing purposes.

In witness whereof, I, H. A. Wallace, Secretary of Agriculture, have executed this termination in duplicate and caused the official seal of the Department of Agriculture to be affixed thereto in the city of Washington, District of Columbia, this 12th day of October 1938, and hereby declare that this termination shall be effective on and after 12:01 a. m., eastern standard time, October 15, 1938.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. B. Doc. 38–3019; Filed, October 13, 1938; 12:13 p. m.]

TITLE 14—CIVIL AVIATION CIVIL AERONAUTICS AUTHORITY

[Regulation 407-A-1]

FORMS OF PINANCIAL AND STATISTICAL RE-FORTS OF AIR CARRIERS

At a session of the Civil Aeronautics Authority held in the City of Washington, D. C., on the 10th day of October 1938.

The matter of the appropriate provisions for regulations with respect to the manner and form in which monthly and annual financial and statistical reports shall be made by air carriers, being under consideration by the Civil Aeronautics Authority upon its own motion pursuant to the authority contained in sections 205 (a) and 407 (a) of the Civil Aeronautics Act of 1938, (52 Stat. 973, 984, 1000), and being fully advised in the premises, the

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Authority is of the opinion and finds

1. There has heretofore been issued by the Post Office Department, pursuant to the provisions of the Air Mail Act of 1934, as amended, (48 Stat. 933; 49 Stat. 615) for use by air carriers holding domestic air-mail contracts under the said Act, as amended, a Monthly Financial Report and Operating Statistics (Form No. 2780).

2. There has heretofore been issued by the Post Office Department, pursuant to the provisions of the Foreign Air Mail Act of 1928, as amended, (45 Stat. 248; 45 Stat. 1449) for use by air carriers holding foreign air-mail contracts under the said Act, as amended, a Monthly Report-Financial and Operating Statistics (Form No. 2380).

3. The regulation hereinafter set forth is consistent with the provisions of the Civil Aeronautics Act of 1938 and is necessary and appropriate to carry out the provisions thereof.

The Civil Aeronautics Authority therefore, pursuant to the authority vested in it by sections 205 (a) and 407 (a) of the Civil Aeronautics Act of 1938, (52 Stat. 973, 984, 1000), hereby makes and promulgates the following regulation:

AND STATISTICAL REPORTS OF AIR CARRIERS

Any and all reports, including financial and statistical reports, shall be kept and maintained as follows:

(a) Each air carrier engaged in regularly scheduled interstate air transportation within the continental limits of the United States and each air carrier engaged in regularly scheduled operations within the territory of Hawaii shall make monthly financial and statistical reports to the Authority in accordance with the provisions of the Monthly Financial Report and Operating Statistics (Form No. 2780) heretofore issued by the Post Office Department and which was prescribed by such Department to be used by domestic air mail carriers, and such report form is hereby adopted by the Authority for such purposes until further action by the Authority.

(b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall make its reports with respect to such matters in accordance with the provisions of the Monthly Report-Financial and Operating Statistics (Form No. 2380) heretofore issued by the Post Office Department, and such report form is hereby adopted by the Authority for such purposes until further action by the Authority.

Whenever the above-mentioned forms refer to the Postmaster General, any Assistant Postmaster General, the United States Post Office Department, or any division or section thereof, they shall hereafter be deemed to refer to the Civil Aeronautics Authority.

For the Authority:

SEAL !

PAUL J. FRIZZELL, Secretary.

(F. R. Doc. 38-3006; Filed, October 12, 1938; 4:46 p. m.]

[Regulation 407-D-1]

FORMS OF ACCOUNTS OF AIR CARRIERS

At a session of the Civil Aeronautics Authority held in the City of Washington, D. C., on the 10th day of October 1938.

The matter of the appropriate provisions for regulations with respect to the manner and form in which any and all accounts shall be kept by air carriers, being under consideration by the Civil Aeronautics Authority upon its own motion pursuant to the authority contained in sections 205 (a) and 407 (d) of the Civil Aeronautics Act of 1938, (52 Stat. 973, 984, 1000), and being fully advised in the premises, the Authority is of the opinion and finds that:

1. There has heretofore been issued by the Post Office Department pursuant to the provisions of the Air Mail Act of 1934, as amended, (48 Stat. 933; 49 Stat. division thereof, they shall hereafter be

REGULATION 407-A-1. FORMS OF FINANCIAL 615) for use by air carriers holding domestic air-mail contracts under the said Act, as amended, a Uniform System of Accounts.

2. There has heretofore been issued by the Post Office Department pursuant to the provisions of the Foreign Air Mail Act of 1928, as amended, (45 Stat. 248; 45 Stat. 1449) for use by air carriers holding foreign air-mail contracts under the said Act, as amended, a Uniform System of Accounts (Part One, Operating Revenues and Operating Expenses; and Part Two, Real Property and Equipment Accounts).

3. The regulation hereinafter set forth is consistent with the provisions of the Civil Aeronautics Act of 1938 and is necessary and appropriate to carry out the provisions thereof.

The Civil Aeronautics Authority therefore, pursuant to the authority vested in it by sections 205 (a) and 407 (d) of the Civil Aeronautics Act of 1938, (52 Stat. 973, 984, 1000), hereby makes and promulgates the following regulation:

REGULATION 407-D-1. FORMS OF ACCOUNTS OF AIR CARRIERS

Any and all accounts, records and memoranda kept by air carriers engaged in scheduled air transportation, including their accounts, records and memoranda of the movement of traffic, as well as of their receipts and expenditures of money, shall be kept and maintained as follows:

(a) Each air carrier engaged in regularly scheduled interstate air transportation within the continental limits of the United States and each air carrier engaged in regularly scheduled operations within the territory of Hawaii shall keep its accounts with respect to such transactions in accordance with a Uniform System of Accounts heretofore issued by the Post Office Department and which was prescribed by such Department to be used by domestic air mail carriers and such uniform system of accounts is hereby adopted by the Authority for such purposes until further action by the Authority.

(b) Each other air carrier engaged in regularly scheduled air transportation (not including, however, foreign air carriers) shall keep its accounts with respect to such transactions in accordance with the provisions of a so-called "Uniform System of Accounts for Foreign Carriers by Air" which was heretofore issued by the Post Office Department and such Uniform System of Accounts is hereby adopted by the Authority for such purposes until further action by the Authority.

Wherever the manuals prescribing such Uniform System of Accounts as aforesaid refer to the Postmaster General, any Assistant Postmaster General, the United States Post Office Department, or any Authority.

For the Authority:

[SEAL]

PAUL J. FRIZZELL. Secretary.

[F. R. Doc. 38-3007; Filed, October 12, 1938; 4:46 p. m.]

TITLE 26-INTERNAL REVENUE BUREAU OF INTERNAL REVENUE

IT. D. 48671

GAUGING MANUAL AMENDED

To District Supervisors and Others Con-

Paragraph 71 (i) of the Gauging Manual 1 is hereby amended to read as follows:

(i) Whiskey, rye whiskey, wheat whiskey, malt whiskey, rye malt whiskey, bourbon whiskey, or corn whiskey, as defined in sub-paragraphs 71 (d) and (e), produced on or after March 1, 1938. which in whole or in part, is treated with wood chips through percolation or otherwise, during distillation or storage. shall be further marked, either by branding or stenciling, with the words "Treated with oak chips."

[SEAL] GUY T. HELVERING. Commissioner of Internal Revenue. Approved, October 11, 1938.

JOHN W. HANES,

Acting Secretary of the Treasury

[F. R. Doc. 38-3018; Filed, October 13, 1938; 11:19 a. m.]

TITLE 30-MINERAL RESOURCES NATIONAL BITUMINOUS COAL COMMISSION

[Order No. 2521

AN ORDER REQUIRING FROM PRODUCERS FOR ALL MINES HAVING PRESENT ACTUAL DAILY CAPACITY OF FIFTY NET TONS OR More and ALL MINES SHIPPING DI-RECTLY BY RAIL OF RIVER, REGARDLESS OF DAILY CAPACITY, REPORTS OF COST AND REALIZATION DATA FOR THE CALEN-DAR YEAR 1938, PURSUANT TO SECTION 10 (a) OF THE BITUMINOUS COAL ACT OF 1937

Whereas, the Commission by its Order No. 236,3 dated March 22, 1938, requires all producers of bituminous coal to file complete reports showing the total costs of the tonnage produced and realization prices derived from the sale of coal for each mine and for each calendar month so as to include all coal produced and all coal sold on and after the first day of January, 1938; and

Whereas, the Commission believes that in order better to perform its duties under the Bituminous Coal Act of 1937, and in order to be more fully informed as to

deemed to refer to the Civil Aeronautics | the production and distribution of bi- | Commission a monthly report for Detuminous coal throughout the United States, it should have such information on total costs of the tonnage produced and realization prices derived from the sale of coal submitted to it, in a consolidated form covering the calendar year 1938, by producers for all mines having present actual daily capacity of fifty (50) net tons or more and by producers for all mines shipping directly by rail or river, regardless of daily capacity;

Now, therefore, Pursuant to Act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48. 75th Cong., 1st sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission orders and directs as follows:

- 1. That each producer of bituminous coal, whether or not a code member and whether or not engaged in commerce in coal which is subject to the provisions of Section 4 of said Act, and whose mine or mines have a present actual daily capacity of fifty (50) net tons or more, or who ships directly by rail or river, regardless of daily capacity of such mine or mines, shall file, in duplicate, complete reports of the total costs of the tonnage produced at such mine or mines and realization prices derived from the sale of such coal on Commission's Cost Form No. 3, all as more fully set forth and specified in said cost form, such reports to be made separately for each such mine, so as to include all such coal produced and all such coal sold during the calendar year 1938.
- 2. That each such producer shall file the reports required under Paragraph 1, above, with the statistical bureau of the Commission within the district in which the mine or mines reported on are located, on or before the 25th day of January, 1939, said reports to be filed by the producer in lieu of the reports required to be filed by him on or before the 25th day of January, 1939, covering all coal produced and all coal sold during the month of December, 1938, as presently required under Paragraphs 1 and 3 of Order No. 236
- 3. In the case of any mine of the class described in Paragraph 1, above, which is not actually in operation during the calendar year 1938, the producer shall report for such calendar year such data as will show the costs of ownership and maintenance.
- 4. That reports required to be filed under this Order shall be signed by the producer if an individual, by a member of the firm if a partnership, or if a corporation, by a responsible officer thereof who is familiar with the facts.
- 5. That Order No. 236, except as modifled herein, shall remain in full force and effect.

That producers, whose mine or mines do not ship directly by rail or river and have a present actual daily capacity of less than fifty (50) net tons, shall file cember 1938 on Cost Form No. 3-A, as presently required under Paragraphs 1 and 3 of Order No. 236.

6. That the Secretary of the Commission shall cause the proper statistical bureau of the Commission to mail to each known producer within the United States whose mine or mines come within the description set forth in Paragraph 1. above, a copy of this Order, together with the necessary forms for making the required reports, and shall make available to all such producers additional copies of said forms at the statistical bureau as such bureaus are established in each district under said Act.

That the Secretary of the Commission shall also mail a copy of this Order, together with a copy of Cost Form No. 3 to the Secretary of the Bituminous Coal Producers Board for each of the several districts and to Consumers' Counsel, and shall cause a copy of this Order to be published in the FEDERAL REGISTER.

By order of the Commission. Dated this 12th day of October, 1938. [SEAL] F. WITCHER MCCULLOUGH, Secretary.

[F. R. Doc. 38-3020; Filed, October 13, 1938; 12:28 p. m. J

Notices

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commis-

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS

NOTICE OF AND ORDER FOR HEARING IN MAT-TER OF PROPOSAL OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS SUBMITTED BY DISTRICT BOARDS FOR DIS-TRICTS NOS. 9, 10, 11, 12, 13 (EXCEPT VAN BUREN, WARREN AND MCMINN COUNTIES IN TENNESSEE)

Pursuant to Act of Congress entitled 'An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public No. 48, 75th Cong., 1st Sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

1. That notice be and the same hereby is given to all interested parties that a hearing in the above entitled matter shall be held before the Commission, commencing on the 26th day of October. 1938 at 10:00 o'clock A. M., in the Hearing Room of the Commission at Fifteenth and Eye Streets, N. W., Washington, D. C., for the purpose of receiving evidence relating to the proposals of the minimum prices and marketing rules and regulations submitted by the District Boards for Districts Nos. 9, 10, 11, 12, 13 with the proper statistical bureau of the except Van Buren, Warren and McMinn

¹³ F. R. 753 DI. 13 F. R. 723 DI.

Counties in Tennessee), 14, and 15, to the Commission, pursuant to Orders Nos. 249 and 250, dated August 20, 1938, to enable the Commission to approve or disapprove such proposed minimum prices and marketing rules and regulations, or to enable the Commission to modify such proposed minimum prices in conformity with the requirements of Section 4-II (a) of the Act, or to enable the Commission to modify the proposed marketing rules and regulations as provided in said Section 4-II (a) of the Act, in order that such proposed minimum prices and marketing rules and regulations, as approved, or modified, as the case may be, may serve as the basis for the coordination as provided by Section 4-II (b) of the Act, at which time all interested parties will be afforded an opportunity to be heard.

2. That at said hearing the Commission will receive evidence relating to the kinds, qualities, and sizes of coal produced in each of the aforesaid districts, and evidence relating to the classification of such coal, price variations as to mines, consuming market areas, values as to uses and seasonal demand, and evidence as to whether or not such proposed minimum prices conform, or in what respect they should be modified so as to conform, to the following requirements of subsection (a) of Part II, Section 4 of the Act:

a. The proposed minimum prices for each of the aforesaid districts shall yield a return, per net ton, for such districts, equal as nearly as may be to the weighted average of the total costs, per net ton, of the tonnage of the minimum price area within which such district is located, as said weighted average heretofore has been determined by Order of the Commission dated August 19, 1938, in this proceeding.

b. They shall reflect, as nearly as possible, the relative market value of the various kinds, qualities and sizes of coal to which they are applicable.

c. They shall be just and equitable as between producers within the district.

d. They shall have due regard to the interests of the consuming public.

e. They shall be just and equitable as between producers within the district, for any kind, quality or size of coal for shipment into any consuming market area.

f. They shall not permit dumping.

At said hearing the Commission will also receive evidence as to whether or not such proposed marketing rules and regulations are consistent with the requirements of Section 4-II (a) of the Act, and conform to the standards of fair competition established by the Act, or in what respect they should be modified to be made consistent with the requirements of Section 4-II (a) of the Act, and to conform to the standards of fair competition established by said Act.

 That the Secretary is hereby directed to cause copies of the aforesaid proposals to be made available forthwith for inspection by interested parties at

the office of the Secretary of the Commission at Washington, D. C., and at the office of each Statistical Bureau of the Commission within each of Districts Nos. 9, 10, 11, 12, 13, 14 and 15.

4. That the Secretary of the Commission shall cause a copy of this Notice of and Order for Hearing to be published forthwith in the Federal Register and in two consecutive issues of a newspaper of general circulation in each of the aforesaid districts, and shall cause copies hereof to be mailed to each code member, the Consumers' Counsel, and to the Secretary of each District Board, and to be made available for inspection in each of the Statistical Bureaus of the Commission.

By Order of the Commission Dated this 11th day of October, 1938. [SEAL] F. WITCHER McCullough,

Secretary.

[F. R. Doc. 38-3021; Filed, October 13, 1938; 12:28 p.m.

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3396]

IN THE MATTER OF BOULEVARD CANDY COMPANY, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41).

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, November 2, 1938, at ten o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38–3011; Filed, October 13, 1938; 10:47 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3413]

IN THE MATTER OF LOUIS KELLER AND WIL-LIAM CARSKY, INDIVIDUALLY AND TRAD-ING AS CASEY CONCESSION COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, November 2, 1938, at two o'clock in the afternoon of that day (central standard time) in Room 1123 New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38-3012; Filed, October 13, 1938; 10:47 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3429]

IN THE MATTER OF NORTH WESTERN PRINTING HOUSE, INC., A CORPORATION IN ITS
OWN NAME AND RIGHT AND TRADING AS
FEDERAL TRADE BUILDERS; AND LOUIS
ROVNER AND MORRIS LEAVITT, INDIVIDUALLY AND AS OFFICERS OF CORPORATE
RESPONDENT; AND EDWIN J. PEARSON,
INDIVIDUALLY AND AS AN EMPLOYEE OF
CORPORATE RESPONDENT

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursu-

¹³ F. R. 2057, 2058 DI.

gress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, November 9, 1938, at twothirty o'clock in the afternoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON. Secretary.

(F. R. Doc. 38-3013; Filed, October 13, 1938; 10:47 a. m.]

United States of America-Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3458]

IN THE MATTER OF RICHARD MURDOC, INDI-VIDUALLY, AND TRADING AS SERVICE CLUB SALES COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law:

It is further ordered. That the taking of testimony in this proceeding begin on Monday, November 7, 1938, at ten-thirty o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Pederal Trade Commission, the examiner

ant to authority vested in the Federal | take testimony and evidence on behalf of | Trade Commission, under an Act of Con- the respondent. The examiner will then IN THE MATTER OF FERRARA PANNED CANDY close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38-3014; Filed, October 13, 1938; 10:47 a.m.]

United States of America-Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3495]

IN THE MATTER OF ILLINOIS BAKING CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S. C. A., Section 41).

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, November 2, 1938, at eleven o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38-3015; Filed, October 13, 1938; 10:48 a. m.]

United States of America-Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. is directed to proceed immediately to Davis, William A. Ayres, Robert E. Freer. o'clock in the forenoon of that day (cen-

[Docket No. 3542]

Co., INC.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, November 2, 1938, at tenthirty o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON. Secretary.

[F. R. Doc. 38-3016; Filed, October 13, 1938; 10:48 a. m.]

United States of America-Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1938.

Commissioners: Garland S. Ferguson, Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 3568]

IN THE MATTER OF HARRY CUTLER, IN-DIVIDUALLY AND TRADING AS GENERAL SALES COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S. C. A., Section 41).

It is ordered, That Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, November 7, 1938, at eleven tral standard time) in Room 1123, New Post Office Building, 433 West Van Buren

Street, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 38-3017; Piled, October 13, 1938; 10:48 a. m.]

RURAL ELECTRIFICATION ADMINIS-TRATION.

[Administrative Order No. 298]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 8, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Georgia R9081A1 Towns	\$113,000
Georgia R9087A1 Tattnall	
Illinois R9032A1 McDonough	
Kentucky R9030C1 Shelby	
New York R9018B1 Tompkins	
Virginia R9027F1 Nottoway	200,000

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38–3008; Filed, October 13, 1938; 9:54 a. m.]

[Administrative Order No. 299] ALLOCATION OF FUNDS FOR LOANS

OCTOBER 8, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation Amount
Georgia 9087A2 Tattnall \$163,620

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38–3009; Filed, October 13, 1938; 9:54 a. m.]

[Administrative Order No. 300]

AMENDMENT OF PRIOR ALLOCATIONS OF PUNDS FOR LOANS

OCTOBER 11, 1938.

I hereby amend Administrative Order No. 120, dated July 26, 1937, which allocated \$100,000 to West Virginia 8010G Harrison to read \$100,000 for West Virginia 8010B1 Harrison.

I hereby amend Administrative Order No. 179, dated January 3, 1938, by changing the designation from Wisconsin 8019B Chippewa to read Wisconsin 8019B2 Chippewa.

I hereby amend Administrative Order No. 230, dated March 31, 1938, by cancelling the rescission of \$6,000 allocated to Iowa 8033W and 8033BW Calhoun and making effective Administrative Order No. 160, dated November 11, 1937, which allocated \$6,000 to Iowa 8033W and 8033BW Calhoun.

I hereby amend Administrative Order No. 267, dated July 7, 1938, which allocated \$165,000 to Minnesota 9003B1 Meeker to read \$46,972 to Minnesota 9003B1 Meeker and \$118,028 to Minnesota R9003B2 Meeker.

I hereby amend Administrative Order No. 278, dated August 9, 1938, which allocated \$427,000 to Michigan 9043A1 Chippewa to read \$283,300 to Michigan 9043A1 Chippewa and \$143,700 to Michigan R9043A2 Chippewa.

I hereby amend Administrative Order No. 280, dated August 18, 1938, by adding the letter "R" to each of the following

project designations:

Michigan 9020B1 Delta to read Michigan R9020B1 Delta.

Michigan 9041A1 Oceana to read Michigan R9041A1 Oceana.

I hereby amend Administrative Order No. 288, dated September 12, 1938, by adding the letter "R" to the project designation Minnesota 9063W1 Scott to read Minnesota R9063W1 Scott.

I hereby amend Administrative Order No. 289, dated September 12, 1938, by adding the letter "R" to each of the following project designations:

Idaho 9015A1 Idaho to read Idaho R9015A1 Idaho.

Illinois 9031A1 Monroe to read Illinois R9031A1 Monroe.

Indiana 9027A1 Decatur to read Indiana R9027A1 Decatur.

Indiana 9044A1 Allen to read Indiana R9044A1 Allen.

Iowa 9009E1 Scott to read Iowa R9009E1 Scott. Iowa 9011B1 Webster to read Iowa

R9011B1 Webster. Iowa 9039C1 Benton to read Iowa

Iowa 9039C1 Benton to read Iowa R9039C1 Benton.

Kentucky 9033D1 Daviess to read Kentucky R9033D1 Daviess.

Michigan 9044A1 Grand Traverse to read Michigan R9044A1 Grand Traverse. Minnesota 9009B1 Goodhue to read Minnesota R9009B1 Goodhue.

Minnesota 9015C1 Faribault to read Minnesota R9015C1 Faribault.

Minnesota 9018D1 Douglas to read Minnesota R9018D1 Douglas.

Montana 9016A1 Park to read Montana R9016A1 Park.

Ohio 9087A2 Wood to read Ohio R9087A2 Wood.

Pennsylvania 9015C1 Bradford to read Pennsylvania R9015C1 Bradford.

I hereby amend Administrative Order No. 290, dated September 16, 1938, by omitting the letter "R" from the project designation Georgia R9086A1 Seminole to read Georgia 9086A1 Seminole.

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38–3010; Filed, October 13, 1938; 9:54 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 13th day of October, A. D. 1938.

[File No. 51-16]

IN THE MATTER OF PENN WESTERN GAS & ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the abovenamed party;

It is ordered, That a hearing on such matter be held on October 31, 1938, at 10:00 o'clock in the forencon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before October 25, 1938.

The matter concerned herewith is in regard to an application duly filed by Penn Western Gas & Electric Company, a registered holding company, pursuant to Rule U-12C-2 promulgated under Section 12 (c) of the Act, for an order

approving the declaration and payment assets are to be distributed by the declapapplicant remaining after the payment, of a dividend or dividends out of capital ration and payment of a dividend or or the making of provision for the payment. formal dissolution thereof applicant proposes to sell all of its assets (other than cash and stock of Sioux City Gas amount in cash representing his proportionate share, if any, of the cash of the

or unearned surplus. It is proposed to dividends to consist of a distribution in ment, of the debts of the applicant. effect a complete liquidation and dis-solution of applicant. Prior to the one share of Sioux City Gas and Electric

By the Commission.

[SEAL]

FRANCIS P. BRASSOR. Secretary.

[F. R. Doc. 38-3022; Filed, October 13, 1938; 12:52 p. m.]

